

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Social Welfare Department – Kurnool District – Gadivemula Village & Mandal - Acquisition of land for an extent of Ac.16.44 for provision of house sites to the weaker section people – Payment of Rs.2,19,348/- towards decretal charges in OP.NOs.38/88, 39/88, 40/88, 41/88 & 99/88 – Permission accorded - Orders Issued.

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SOCIAL WELFARE (LA) DEPARTMENT

G.O.Rt.No. 842

Dated:- 04.12.2008.

Read the following:-

1. From the District Collector, Kurnool, No.Rc.No.L.1471/1976, dated.2.02.2008.
2. From the Commissioner of Social Welfare, A.P., Hyderabad,
Lr.Rc.No.LA4/4048/2002,
dated.08.04.2008.

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O R D E R:-

The Commissioner of Social Welfare, A.P., Hyderabad, in his letter 2nd read above, while forwarding the proposals of the District Collector, Kurnool, in his letter 1st read above, has requested the Government to release of an amount of Rs.2,19,348/- (Rupees two lakhs nineteen thousand three hundred and forty eight only) towards decretal charges in A.S.No.2572/01 against OP.NOs.38/88, 39/88, 40/88, 41/88 & 99/88 to comply with Court orders.

2. The Land Acquisition Officer, Gadivemula Village & Mandal, has acquired the land for an extent of Ac.16.44 situated within the limits of Gadivemula Village & Mandal in Kurnool District for providing house sites to weaker section people. The LAO has fixed the market value as Rs.3,000/- per acre vide his Award Proceedings No.KB/1471/76, dated.30.03.1977. Under section 18 of the LA Act, the case was referred to Sr. Civil Judge Court, Nandyal. The Lower Court, has enhanced the compensation from Rs.3,000/- per acre to Rs.7,000/- per acre, in its judgment dated.7.06.1999 in OP.Nos.38/88, 39/88, 40/88, 41/88 & 99/88. Challenging the judgment of the Sub-Court, the LAO has filed appeal in the Hon'ble High Court. As per the interim orders of the Hon'ble High Court, the LAO has deposited 50% of decretal amount of Rs.1,26,539/- in Civil Court on 13-11-2002 in the above OP's. Accordingly, the LAO has deposited the balance full decretal amount of Rs.5,020/- in OP.No.99/88 only in the Lower Court. However, the final decretal amount has not deposited in OP.No.38/88 so far. The decree holders in the above OP's have filed cross appeals in the Hon'ble High Court against the earlier judgment of High Court order dt.16-11-2004. The Hon'ble High Court in their judgments dt.13-4-2007 in AS.No.2572/01 & batch has further enhanced the market value from 7,000/- to Rs.9,000/- per acre. In another judgment in AS.No.710/01 and 776/01 in other OP.Nos.99/88 and 38/88 has enhanced the market value from Rs.7,000/- to Rs.10,000/- per acre as fixed by the Lower Court. The Government Pleader, for appeals has opined that it is not a fit case for appeal in the Hon'ble Supreme Court. Vide letter dated.29.10.2007.

3. Government, after careful examination of the above proposal, hereby accord sanction for an amount Rs.2,19,348/- (Rupees two lakhs nineteen thousand three hundred and forty eight only) towards decretal charges in A.S.No.2572/01 against OP.NOs.38/88, 39/88, 40/88, 41/88 & 99/88 to comply with Court orders, for the lands acquired for providing house sites to the weaker section people of Kurnool District.

4. The expenditure sanctioned in para (3) above shall be debited to "2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01- Welfare of Scheduled Castes – M.H.283 - Housing - G.H.11-Normal State Plan - SH(08) Acquisition of House sites to weaker sections under Indiramma Programme - 310/312 – other Grant-in-aid" from the available provision during 2008-09.

5. The Commissioner of Social Welfare, A.P., Hyderabad, is directed to issue necessary proceedings to the District Collector, Kurnool, to comply with the Court orders.

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6. The District Collector, Kurnool, shall verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings for releasing the amount, if any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order issued with the concurrence of Finance (Exp.SW) Department vide their U.O. No.31071/533/A1/Exp.SW/08, Dated:27.11.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Social Welfare, A.P., Hyderabad.,
The District Collector, Kurnool.

Copy to:

The Director of Treasuries & Accounts, A.P. Hyderabad.
The Pay & Accounts Officer, Hyderabad.

The Accountant General, A.P., Hyderabad.
The Dist. Treasury Office, Kurnool.

Finance (Exp.SW/BG) Department.

SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER